THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.12246 OF 2006

ORAL ORDER:

This writ petition filed seeking a declaration that the action of the respondents in seizing and detaining petitioner's Tractor-Trailor bearing Registration No.A.P. 21-X-2928 and ATA 6018 vide vehicle check report No.0457518 dated 2.6.2006, is arbitrary and illegal.

The check report dated 2.6.2006 shows that the vehicle was seized under Section 207 of the Motor Vehicles Act, on the allegation that RC, Tax, Permit, Fitness Certificate, driving licence, Pollution Certificate was not produced.

Having regard to the nature of the controversy involved and having heard learned Government Pleader appearing for Transport and keeping in view that the allegations are required to be enquired into by the competent authority, I deem it appropriate to direct the respondents to release the vehicle in question, subject to the condition that the petitioner deposits a sum of Rs.5,000/- (rupees five thousands only), and also furnishing an undertaking that he will not alienate, transfer, encumber or create any third party interest over the vehicle in question till final orders are passed. It is made clear that the amount deposited in pursuance of the orders of this Court shall be subject to the out come of the enquiry.

Accordingly, the writ petition is disposed of leaving it open to respondents to proceed with the enquiry in accordance with law. No costs.

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(G. ROHINI, J.)

20th June, 2006.

Kgr

Note:

Operative portion by wire at party's cost.

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.12246 OF 2006

-

20th June, 2006.

Between:

N. Satyalu. ….Petitioner.

And

The Secretary cum Registering Authority,

Regional Transport Authority, Kurnool

and another. .. Respondents.

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.11333 OF 2006

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Operative portion to go:

The writ petition is disposed of with a direction to the respondents to release the vehicle of the petitioner on condition of the petitioner depositing a sum of Rs.10,000/- (Rupees ten thousand only) and also furnishing an undertaking that the vehicle in question will be produced as and when required by the respondents and that the same will not be alienated and no third party interest will be created till the conclusion of the enquiry. It is made clear that the deposit made in pursuance of this order shall be subject to the outcome of the enquiry. No costs.

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9.6.2006.

Note:

Issue wire at party's cost; and

Send the bundle to the C.M. Section

after dispatch.

(Bo)

Kgr